

# Home and Community-Based Services (HCBS) Rule Workgroup

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*HCBS Rule Workgroup Monthly Meeting*  
September 6, 2018

# Agenda

- Welcome, Introductions
- CMS Updates from HCBS Conference
- Statewide Transition Plan & Milestone document
- ADHC CAP review process – status
- DDSN CAP review process – status
- Person-centered planning workgroup updates
- General updates

# CMS Updates from HCBS Conference

- Statewide Transition Plan:
  - Key elements for Final Approval\*:
    - Summary of completed and validated site-specific assessments, including aggregated outcomes
    - Draft remediation strategies with timelines for resolution by the end of the transition period
    - Detailed plan for identifying and evaluating those settings presumed to have institutional characteristics
    - Process for communicating with beneficiaries who are currently in settings that cannot or will not come into compliance
    - Description of ongoing monitoring and quality assurance to ensure all settings remain in full compliance with the setting criteria
    - Updated version of the STP is posted for minimum 30 day public comment period and widely distributed

\*CMS Intensive: HCBS Regulation Implementation, Aug. 27, 2018

# CMS Updates from HCBS Conference

- Statewide Transition Plan, continued:

“States should continue progress in assessing existing operations and identifying milestones for compliance that result in Final STP approval by March 17, 2019”\*

- CMS staff indicated they want heightened scrutiny submissions by 2020 to allow time for review

\*CMS/ACL Track: HCBS Final Rule: Current Issues & Future Directions, Aug. 28, 2018

# CMS Updates from HCBS Conference

- Conflict of Interest requirement:

“When states are out of compliance with the regulation, CMS may require a detailed corrective action plan (CAP) individualized and tailored to the state’s particular situation.”\*

- SCDHHS submitted with ID/RD waiver renewal
- Session provided some resources to help us with mapping the system and making required changes

\*CMS Track: Conflict of Interest: When Does it Exist? How Can I Fix It?, Aug. 29, 2018

# Statewide Transition Plan & Milestones

- Milestone document:
  - Based on information provided in STP
  - Requires specific dates on when actions have been or will be completed
  - Goal is to submit this document to CMS by end of September/early October with dates in place to address:
    - Setting remediation
    - Heightened scrutiny
    - Beneficiary communication and relocation
    - STP public notice and submission for Final Approval

# Statewide Transition Plan & Milestones

- Statewide Transition Plan:
  - Revisions to align with Milestone document will begin
  - Include content as required by CMS (Key Elements)
    - Contributions from DHHS Staff and DDSN staff will be needed
  - Goal is to do a 45 day public notice and comment period
    - Plan to include some type of public meetings, webinars
  - Goal is submission to CMS for Final Approval review in early spring 2019

# ADHC CAP Review Process

- Status Update:
  - 81 site visits completed
  - 71 CAPs approved
  - 7 currently under review
  - 1 non-responsive provider
  - 2 settings closed
- One setting – state level HCB Setting Quality Review Process
  - Notification sent to provider, participants
  - Site visit to occur next week
  - Review by External Stakeholder Committee later this fall

# DDSN CAP Review Process

- Status:
  - Draft procedure in place
  - Plan to include technical assistance for providers who need to revise CAPs prior to approval
  - Still developing state level HCB Setting Quality Review Process
    - CMS provided technical assistance: research on other states' process to aid in development of ours

# Person-centered Planning Workgroup

- Updates:
  - Personal Planning Toolkit available
    - Optional tool designed for waiver participants and families
    - Assist with preparation for meeting with their case managers
  - Person-centered planning educational presentation
    - Target audience: waiver participants and families
    - Goal is to help people understand the person-centered planning process and how they can create a plan to make choices for their future
    - Will be ready soon!
  - Additional web resources on HCBS website for Case Managers (suggestions welcome!)

# General Updates

## Comments/Questions

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SCDHHS HCBS Website:  
<https://msp.scdhhs.gov/hcbs/>

